



MINUTES
SPECIAL COMMITTEE OF THE WHOLE MEETING
Monday, August 5, 2013

Present:

Mayor Blomberg

Trustee Feldman

Trustee McDonough

Trustee McAllister

~~Village Treasurer Curtis~~

Village Manager Burke

Finance Director Peterson

Director of Community Development McNellis

~~Trustee Brandt~~

Trustee Grujanac

Trustee Servi-(left at 8:55 p.m.)

Village Clerk Mastandrea

Village Attorney Simon

Chief of Police Kinsey

Director of Public Works Hughes

ROLL CALL

Mayor Blomberg called the meeting to order at 7:14 p.m. and Village Clerk Mastandrea called the Roll.

2.0 APPROVAL OF MINUTES

2.1 Acceptance of July 22, 2013 Committee of the Whole Meeting Minutes

The minutes of the July 22, 2013 Committee of the Whole Meeting were approved as submitted.

3.0 ITEMS OF GENERAL BUSINESS

3.1 Planning, Zoning and Land Use

3.11 Review of Marriott Electronic Sign Monitoring prescribed in Ordinance #11-3203-25, approving the Marriott Resort Master Sign Plan (Village of Lincolnshire/Marriott's Lincolnshire Resort).

Director of Community Development McNellis reported this is a follow up to the Ordinance which permitted the Marriot to install an electronic display screen on their sign at Milwaukee Ave. Director of Community Development McNellis noted, when approved, there was a condition stating the sign would be monitored for 120 days after it was activated, then reviewed by Staff and the Village Board to ensure the type and frequency along with brightness of the sign met the intent of the Ordinance. Staff has monitored the sign for the last four months and believes the sign meets all requirements and recommends no further monitor is needed.

There was a consensus of the Board the requirements have been met and no further monitoring is needed.

3.12 Consideration and Discussion of Zoning Board Recommendation Regarding Preliminary Plat for Proposed 7-Lot Forest View Single Family Residential Subdivision with Subdivision Code Exceptions - 13 Half Day Road (Fidelity Builders, Inc.).

Director of Community Development McNellis noted the Zoning Board unanimously recommended approval, with conditions, of the proposed preliminary plat of subdivision for the 7-Lot Forest View development. Director of Community Development McNellis noted IDOT has now permitted all access except for a left in to the subdivision from Route 22. Fidelity Builders purchased the project and plans from the previous owner of the subdivision which was never completed.

Trustee McDonough asked how IDOT would set up the intersection to have a left out but not a left in and inquired if signage would be posted on Route 22. Director of Community Development McNellis explained Village staff has not received IDOT's sign off on the plans yet, so signage is yet to be determined. Trustee McAllister asked if this would be the same turn restrictions as Oakwood, and Director of Community Development confirmed it would be the same. Kevin Lewis, Civil Engineer for the proposed project, provided additional information on road access for the project, stating it is a controlled access point. Cars exiting can make a left turn out or a right turn going east. Entry in from Route 22 is restricted to a right-in but not a left-in. A no left turn sign will be posted as shown in the detailed packet provided to the Board. A discussion on the location of the signs and how enforceable it would be or how well the signs provide direction followed. Trustee Feldman asked if the left out/right out side of the island would only be wide enough for one car. Mr. Lewis confirmed the lane would only support one car for a right turn out.

Mr. Lewis proceeded to address Zoning Board comments and started with the recommendation for additional parkway trees to be planted in front of homes east of the roadway. Mr. Lewis noted Fidelity Builders has concerns planting trees within a proposed water and sanitary sewer easement. Fidelity staked out the east and west right-of-way lines of the proposed road to see if more screening could be added and noted this is already heavily wooded with the goal to keep large trees in this area.

Mr. Lewis noted the Zoning Board requested to have an additional utility easement between two of the lots and this has been added to the plan. Mr. Lewis addressed the Zoning Board request to stake and flag the location of the road and all stormwater detention basins noting this has also been done.

Mr. Lewis noted Fidelity added a landscape easement along the south boundary to address concerns regarding additional screening and to try to save existing trees due to concerns raised by the owner of 28 Melrose Lane. Fidelity Builders proposes to plant 4 White Pines within the landscape easement. Trustee Feldman asked if there would be a Homeowners Association for the maintenance of the public areas, and Mr. Lewis confirmed there would be. Trustee McDonough asked how big the additional easement in this location would be. Mr. Lewis stated the net easement depth is 15'. Director of Community Development McNellis summarized all the proposed easements.

Director of Community Development McNellis noted staff believes trees can be put in over the proposed water and sanitary easement rather than the shrubs proposed by Fidelity Builders. Mr. Lewis stated Fidelity Builders is willing to do this but mentioned he thought it would be a tight fit between the utilities and could be a maintenance issue. Trustee McDonough asked if this has been done anywhere else in the Village. Director of Public Works Hughes said this has been done; the trees are field located to verify they are not planted directly on top of pipes. Trustee Feldman expressed concern roots could become an issue. Director of Public Works Hughes noted roots typically affected older pipes, and the trees would be field located so as not to be installed over pipe.

Director of Community Development McNellis asked for direction from the Board regarding the storage basin on the south end and if it is important to put additional screening to the south? Three homes would have issues and the Zoning Board requested the pond to be moved to the north for more screening. Trustee Feldman thought the front of the property is loud and to move the pond north, resulting in additional tree loss, would create the potential for additional noise to the subdivision.

Trustee Grujanac asked about placement of the house on lot 7. Trustee McDonough noted the frontage is reduced to put the pond access in this location.

Mr. Neal Barg, resident at 28 Melrose Lane approached the Board stating his concern with the impact of the development on his property. Mr. Barg requested support from the Board regarding the landscape plan, proper screening and environmental impact regarding the detention basin located near his property. Mr. Barg presented two proposals; one was to increase the setback and add large evergreens. The second proposal was to eliminate the storage basin all together. Mr. Barg asked if an engineering study was done showing both detention basin and compensatory storage basin are required.

Mr. Lewis explained drainage on the property and what is being proposed. Trustee Feldman asked if the storage basin holds water all the time. Mr. Lewis noted the plans are for a dry basin except in very large storm events. A discussion regarding the trees for screening

properties to the south of the development followed. Mayor Blomberg noted he and Trustees Brandt and McDonough had been on the Board during the original plan submittal and agreed to the compensatory storage basin to try and make conditions better for all homes in this area. Mayor Blomberg proposed to add additional screening at the cul-de-sac to provide more screening to 28 Melrose Lane from traffic coming into the proposed subdivision. Trustee Feldman said her concern would be headlights impacting 28 Melrose Lane. Mr. Barg requested more landscaping be put in the floodplain. Mayor Blomberg said staff could look into this but did not recommend doing this initially. Trustee McDonough asked if there could be a written agreement to put additional landscaping in at a later date. Village Attorney Simon advised an agreement could be written in the Declaration to the Homeowners Association to revisit the landscaping at future date.

Mr. Martin Klein, resident at 53 Cedar Lane came before the Board. Mr. Klein noted his concern is additional standing water on his lot. Mr. Klein noted during heavy rain his lot has standing water and at times the water has backed up the sewer system. Trustee Feldman asked Director of Public Works Hughes about compaction of the soil. Director of Public Works Hughes noted staff could check compaction in the area but confirmed the compensatory storage basin should help this lot. Trustee McDonough asked about the storm sewer affecting the lot. Director of Public Works Hughes confirmed the lot was in the line of the storm sewer and is tied to the flow going to the Des Plaines River.

Mayor Blomberg asked the Board to give staff direction regarding the condition to preserve existing trees, keeping the compensatory storage basin and planting additional trees or require a 30' wide landscape easement along the south boarder and creating a larger planting area which would require the reconfiguration of the storage basin and the loss of additional mature trees. It was the consensus of the Board to approve keeping the compensatory storage basin in its proposed location and planting additional trees for screening. Village Attorney Simon wanted confirmation from the Board for a Homeowners Association Declaration and Covenants to include a stipulation to revisit the landscaping. It was the consensus of the Board to include the stipulation. It was the consensus of the Board to plant deciduous trees instead of evergreens along the west property line along the fence. Director of Community Development McNellis noted staff requests Fidelity Builders plan larger evergreens, where proposed, along with the parkway trees. Fidelity agreed to 5 – 10' tall evergreens.

It was the consensus of the Board for Fidelity Builders to make revisions directed by the Board and bring this back to the next Regular Village Board for discussion and approval.

3.13 Consideration and Discussion of Referral of an Amendment to Existing Planned Unit Development (Ordinance #03-1864-41) to subdivide the existing Sedgebrook Retirement Community

property into two lots, with Zoning Code exceptions, and modify previously-approved development plans for Neighborhoods 2 and 3 - Northeast corner of Milwaukee Avenue and Aptakisic Road (Lincolnshire Senior Care, LLC)

Director of Community Development McNellis provided a summary of the request.

Mr. John Peacock, Planner/Project Manager with Arch Consultants, representing Sedgebrook came before the Board. Mr. Peacock provided a summary of the conceptual master plan being proposed.

Mr. Andy Heinen, with Kimley-Horn and Associates, Inc., Civil Engineer for Sedgebrook, came before the Board. Mr. Heinen provided an overview of the existing campus and a presentation on the engineering goals for the property. The proposed change to the campus is a concept plan with the main goal being the ability to subdivide the property.

Trustee McDonough stated when the PUD was originally approved; the Board spent a lot of time on density, and explained a primary concern is the density of the proposed plan. Mr. Heinen noted the units per acre were originally 17.71, and since the proposal is to subdivide and sell off approximately 20-acres, the units per acre will be 17.65; the approved number of units was 1,608 over 100 acres and the proposed number of units is 1,239 over 70 acres.

Mayor Blomberg asked if the fire access road would be installed right away given the plan to subdivide the portion with the existing fire lane. Mr. Heinen noted what is being proposed is putting in a turf block system drive once the residential buildings are built. If this parcel is sold off and they want to build the first building, then they will have to come to an agreement with regards to a temporary fire lane meeting fire specifications. Mr. Heinen explained the owner is proposing to build a turf block system in the future. Mr. Heinen explained turf block is grass Crete which is a 5' concrete sidewalk with 7 ½' on either side is grass turf paving. Village Attorney Simon asked if there is any flooding in the area of the proposed fire access lane. Mr. Heinen said the western half would be raised up 2' to account for any flooding but it will need further review.

Trustee Servi stated he needed to leave but wanted to caution the Board regarding the density per units. Mr. Heinen noted the unit modifications they are making affect the dining area in some of the units. Trustee McDonough is in agreement with Trustee Servi regarding the concern about density.

A discussion regarding detention and the impact if for the amount impervious surface should change followed. Mr. Heinen noted the numbers for impervious surface will be worked out with the Engineering Plans at the time a formal plan is brought before the Village Board.

Trustee McDonough noted this would not have been approved in 2002 and he is not in favor of subdividing this site. Trustee McDonough inquired if there are options for lot two to be commercial, have greater frontage along Milwaukee Ave. and move the proposed Sedgebrook buildings east of the new lot two. Mr. Heinen stated this is a concept plan and it is based on the trends within the last years. Village Attorney Simon asked what the developer is planning for the future lot two. Mr. Heinen noted the developer wants to market this but would like to know what Lincolnshire would be agreeable to allow in terms of potential uses for this site.

Mr. Steve Bauer, Attorney with Ungaretti & Harris, representing the development team came before the Board and noted the new owner has taken a look at the market and made alternatives based on the market. Trustees McDonough and McAllister thought it would be best to take a look at what was approved in the original PUD and go from there.

It was the consensus of the Board to have the Developer look at the original PUD and come back to the Board with a revised plan to maintain some of what was originally approved including density. After it is referred, the Board recommended reviewing the plat with the PUD, at the Village Board, not the Zoning Board.

3.14 Consideration and Discussion of Referral of text amendments to Sections 6-3-5, 6-3-7 and 6-2-2 of the Lincolnshire Zoning Code Pertaining to Requirements for Accessory Structures and Uses, Regulations for Temporary Accessory Structures and Uses, and Limitations associated with Prohibited Obstructions in Yards (Village of Lincolnshire).

Director of Community Development McNellis provided a summary of the Code and areas Staff would like the Zoning Board to review.

Trustee McAllister asked about restrictions from Homeowners Associations. Director of Community Development McNellis said if the Code conflicted with a Homeowners Association Covenants, the Homeowners Association Covenants take precedence.

There was a consensus of the Board to refer this to the Zoning Board for review and recommendation.

3.2 Finance and Administration

3.3 Public Works

3.4 Public Safety

3.41 Consideration and Discussion of a Request to Waive Formal Bidding Requirements and Authorize the Purchase of Three Police Department (3) Replacement Vehicles Through the Suburban Purchasing Cooperative (Village of Lincolnshire)

Police Chief Kinsey provided a summary of the request.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.42 Consideration and Discussion of an Ordinance Amending Section 10-1-12-2 of Title 10, Chapter 1, of the Lincolnshire Village Code Prohibiting Parking on Charlestowne Court During Certain Hours on School Days (Village of Lincolnshire)

Police Chief Kinsey provided a summary of the Ordinance Amendment to prohibit parking on Charlestowne Court during school days.

Trustee McAllister asked if this would move parking from one street to the next. Police Chief Kinsey said this could result in parking issues in other areas. A discussion related to parking in other areas followed.

There was a consensus of the Board to place this item on the Consent Agenda for approval at the next Regular Village Board Meeting.

3.5 Parks and Recreation

3.6 Judiciary and Personnel

4.0 **UNFINISHED BUSINESS**

5.0 **NEW BUSINESS**

5.1 Discussion Regarding Marathon Gas Station Masonry Wall Adjacent to The Fresh Market

Director of Community Development McNellis noted the original approval for the gas station was to remove the two brick walls on the site. The south wall is in good condition and provides screening from the pumps. Staff is recommending referring this to the Architectural Review Board for review to amend the landscape plan to allow the south wall and hedge to be retained.

There was a consensus of the Board to refer the amendment of the landscape plan to the Architectural Review Board.

Director of Community Development McNellis wanted to notify the Board regarding medical marijuana dispensaries and noted staff is reviewing and putting a map together showing the impact areas. Staff does not believe it will be an impact to Lincolnshire.

Village Attorney Simon informed the Board the court of Illinois filed an opinion regarding how FOIA effects electronic messaging between elected officials and residents. The summary of the case related to a public body texting during a Board meeting and noted the text messages became public record. Village Attorney Simon also noted if a Board Official receives a private email to their private email address from a resident, this would not be considered public record.

Trustee Feldman informed the Board of recent criminal activity in Lincolnshire. Police Chief Kinsey confirmed there have been car break-ins on the east side of the Village and informed the Board a notice would be going on to residents on the E-news network.

Trustee Grujanac requested The Fresh Market be informed of the approval of the Ordinance revision to liquor sale hours.

6.0 EXECUTIVE SESSION

Trustee McDonough moved and Trustee McAllister seconded the motion to go into Executive Session for the purpose of discussing personnel. The roll call vote was as follows: AYES: Trustees Feldman, McAllister, McDonough and Grujanac. NAYS: None. ABSENT: Trustees Servi and Brandt. ABSTAIN: None. The Mayor declared the motion carried and the Board went into Executive Session at 9:42 p.m. and came out of Executive Session at 9:58 p.m.

7.0 ADJOURNMENT

Trustee Grujanac moved and Trustee Feldman seconded the motion to adjourn. Upon a voice vote, the motion was approved unanimously and Mayor Blomberg declared the meeting adjourned at 10:00 p.m.

Respectfully submitted,

VILLAGE OF LINCOLNSHIRE

Barbara Mastandrea
Village Clerk